

## DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residence and post office addresses and our citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **BALLOON CATHETER**, for which an application for a United States Letters Patent is being submitted herewith.

This application in part discloses and claims subject matter disclosed in earlier filed pending application Serial No. 09/295,694, filed April 21, 1999.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application and to patentability as defined in Title 37, Code of Federal Regulations §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: None.

We hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Application Serial No. 09/295,694, filed April 21, 1999

We hereby declare under penalty of perjury under the laws of the United States of America that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Title 18, United States Code §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

**WILLIAM B. ANDERSON, Reg. No. 41,585**  
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**WALTER KURZ, Reg. No. 37,373**  
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Inventor's Signature: 

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Citizenship: United States of America

Full name of Second and Joint Inventor: NianJiong Bei

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Full name of Third and Joint Inventor: Chi Le Long

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Inventor's Signature: \_\_\_\_\_

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259393 v01.PA (5K5D011.DOC)  
12/4/00 3:40 PM (25141.2160)

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Citizenship: Peoples' Republic of China

Full name of Third and Joint Inventor: Chi Le Long

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Inventor's Signature: \_\_\_\_\_

Residence: 2856 Plumas Drive, San Jose, CA 95121

Post Office Address: (same as above)

Citizenship: United States of America

259393 v01.PA (5K5D011.DOC)  
11/13/00 8:09 AM (25141.2160)

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Full name of Second and Joint Inventor: NianJiong Bei

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Inventor's Signature: \_\_\_\_\_

Residence: 1901 Rock Street, #404, Mountain View, CA 94043

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Full name of Third and Joint Inventor: Chi Le Long

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Citizenship: United States of America

259393 v01.PA (5K5D011.DOC)  
11/13/00 8:09 AM (25141.2160)

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**COPY**

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (with all attachments) is being facsimile transmitted to Examiner Brian Pellegrino at (703) 308-2708, the Commissioner for Patents, on July 9, 2002.

Gunther O. Hanke  
Gunther O. Hanke, Registration No. 32,989

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                           |   |  |
|---------------------------|---|--|
| In re the application of: | ) | Examiner: Brian Pellegrino               |
| Inventors: Lim, et al.    | ) |  |
| Serial No.: 09/733,120    | ) | Group Art Unit: 3738                     |
| Filed: December 08, 2000  | ) | Old Docket Nos.: 25141-2160<br>9600-7160 |
| For: BALLOON CATHETER     | ) | New Docket No. ACSC 59968 (2242)         |

**REVOCATION OF PRIOR POWERS OF ATTORNEY,  
SUBSTITUTION OF ATTORNEY AND  
POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**

Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

As Assignee of record of the entire interest of the above-identified patent application, all powers of attorney previously given are hereby revoked, and the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration No. 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; GUNTHER O. HANKE, Registration No. 32,989; and JAMES JUO, Registration No. 36,177.

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**CORRESPONDENCE ADDRESS**

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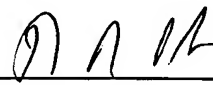
Please change the attorney docket number from 25141-2160 or 9600-7160 to Docket No. ACSC 59968 (2242).

ASSIGNEE STATEMENT UNDER 37 C.F.R. § 3.73(b)

ADVANCED CARDIOVASCULAR SYSTEMS, INC. states that it is the Assignee of the entire right, title, and interest in the patent application identified above by virtue of an Assignment from the inventors identified above. The Assignment was recorded in the Patent and Trademark Office at Reel 011361, Frame 0363 on December 8, 2000.

The undersigned, whose title is indicated below, is empowered to sign this Power of Attorney and statement on behalf of the Assignee.

Dated: JUN 28 2002

  
TH \_\_\_\_\_  
Thomas R. Peterson  
Vice President, Secretary and General Counsel  
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3200 Lakeside Drive  
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